

**SECTION 200**  
**EMPLOYMENT PRACTICES**

**201 - Equal Opportunity Employment**

The purpose of this policy is to express our continuing practice of non-discrimination in employment to support the intent, as well as the written, regarding State and Federal Legislation, including but not limited to the following:

- a. Title VII of the Civil Rights Act of 1964, as amended.
- b. The Age Discrimination in Employment Act of 1967, as amended.
- c. The Equal Pay Act of 1963.
- d. Section 501 Rehabilitation Act of 1973.
- e. Americans With Disabilities Act. (Public Law 101-336)

It shall be the continuing policy of the City that all persons are entitled to Equal Employment opportunity, regardless of race, color, creed, sex, national origin, religion, or disabilities.

Employment opportunities are and shall be given to all qualified applicants solely on the basis of their experience, aptitude and abilities.

Advancement is, and shall be, based entirely on individual qualifications, performance, ability, attitude, and potential for promotion. If at any time two people have identical qualifications as described above, length of service would then be the determining factor.

**202 - Sexual Harassment Policy**

The City intends to maintain a work environment that is free of threatening, intimidating or harassing conduct, including sexual harassment of any employee by any other employee, supervisor, non-supervisor, vendor or guest.

**Responsibility**

Within the scope of the City policy on employee harassment, it is the responsibility of each supervisor to create and

maintain an atmosphere free of sexual harassment. It is also the supervisor's responsibility to promptly investigate all complaints of sexual harassment and to take appropriate corrective measures which may include disciplinary action.

It is the responsibility of employees to be aware of the appropriateness of their own conduct and behavior, and to respect the rights of coworkers.

#### Guidelines

The basic definition of sexual harassment is unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when:

- a. Submission to such conduct is made a term or condition of an individual's employment.
- b. Submission to or rejection of such conduct is used as a basis for an employment decision affecting the employee.
- c. The harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an environment which is intimidating, hostile, or offensive to the employee.

#### Complaint Procedure

Employees who believe they have experienced a possible sexual harassment situation are encouraged to make it clear to the other party, either verbally or in writing, that the behavior is unwelcome and/or objectionable.

Several avenues within the City are available to employees for filing sexual harassment complaints.

- a. Employees should contact the City Superintendent.
- b. As an alternative, or in addition, the employee may contact the Personnel Manager.
- c. As an alternative, or in addition, the employee may contact the Mayor.

#### Complaint Resolution

All allegations of sexual harassment will be immediately investigated and handled as confidentially as possible.

If it is determined that sexual harassment has occurred, corrective action will be taken which may include disciplinary action up to and including termination.

### **203 - The American With Disabilities Act of 1990 (ADA)**

Discrimination against individuals with disabilities in state and local government services, public accommodations, transportation and telecommunications is unlawful. A disabled person is defined as an individual who has a physical or mental impairment that substantially limits or restricts a major life activity such as hearing, seeing, learning, walking, breathing, or performing manual tasks. ADA protects individuals who have a record of a substantially limiting impairment, and people who are regarded as having a substantially limiting impairment. Pre-employment inquiries regarding disabilities, records of disabilities, perceived disabilities and relationships of individuals with disabled persons is unlawful under ADA.

The City Superintendent will ensure that the City's review practices do not violate the ADA provisions. No questions will be allowed during employment interviews regarding disabilities, handicaps, job injuries, worker's compensation, etc.

The Personnel Director will ensure that all individuals who are screened for an interview will be provided a copy of the job description which includes the essential job duties/requirements and working conditions/physical requirements. Questions for all those being interviewed should be prepared in advance and will be strictly job related.

Supervisors may not volunteer information regarding a current or prospective employee's disability to fellow workers. Employees who acquire a disability after employment will require reasonable accommodations to the extent that it does not create an undue hardship or cause a direct safety threat to the employee and/or others. The Personnel Director will be contacted in these situations.

All questions of employees regarding the ADA will be directed to the Personnel Director. It is the responsibility of every employee to comply with the provisions of this Act and to create a positive work environment.

RESOLUTION NO. 575

A RESOLUTION ESTABLISHING THE COST OF COPIES  
OF THE CODE OF ORDINANCES OF THE CITY OF  
WAGONER, OKLAHOMA

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WAGONER, OKLAHOMA:

The cost of copies of The Code of Ordinances of the City of  
Wagoner, Oklahoma, shall be as hereinafter set forth:

	<u>Cost</u>
Printed Copy with Binder	\$ <u>250.00</u>
PDF Version on CD	\$ <u>10.00</u>

PASSED AND APPROVED this 6th day of April, 2009.

  
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James I. Jennings, Mayor

ATTEST: (Seal)

  
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Linda K. Gaylor, Clerk